



**Fw: Comments Re. Indiana General Permit for Sand and Gravel**

**Patrick Kuefler** to: chess

12/18/2012 04:02 PM

Cc: Stephen Jann, Mark Ackerman

Catherine - attached are some comments on the sand and gravel permit for your consideration.

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----- Forwarded by Patrick Kuefler/R5/USEPA/US on 12/18/2012 01:59 PM -----

From: Mark Ackerman/R5/USEPA/US  
To: Patrick Kuefler/R5/USEPA/US@EPA,  
Date: 12/09/2012 10:25 PM  
Subject: Comments Re. Indiana General Permit for Sand and Gravel

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Patrick,

This email contains both comments from Brian and myself. Please share these with IDEM.

Mark, X-34145

- 1) In [Part I, Section 1.3h](#), remove the words "given as".
- 2) In [Part I, Section 1.3j](#), IDEM includes the citation for "Exceptional Use Waters" (IC 13-18-3-2(u) but does not include the term "Exception Use Waters" in the provision.
- 3) [Part I, Section 6.0](#) should be clarified to include a requirement for corrective actions if the discharge exceeds an applicable WQS:

**Part I, Section 6.2 Water Quality Standards**

We recommend that this part begin as follows:

"All operators must control discharges as necessary to meet numeric and narrative water quality standards for any discharges authorized by this permit, with compliance required upon beginning such discharge. If at any time an operator becomes aware (e.g., through self-monitoring or by notification from IDEM or EPA), that the discharge causes or contributes to an excursion above any applicable water quality standard, you must take corrective action as required in (either 1 or 2 below) and document the corrective actions as required in (1 or 2 below). The operator may also be notified by the Commissioner in writing that an individual permit application is necessary .

We recommend IDME choose either of the following:

- (1) tying the corrective actions to Part II, Section 8.2 (Duty to Mitigate), or
  - (2) adopting the corrective action provisions similar to Part 3 of EPA's MSGP.
- 4) Consider including a limit for O&G, as this may be a pollutant of concern that arises from refueling , or lubricating equipment.
- 5) Exclusions from coverage under the general permit include 1.3.f, which states that discharges of sedimentation treatment basing waters that the Commissioner determines will cause , have the reasonable potential to cause, or contribute to, violations of water quality standards will be excluded from coverage under the general permit. However, it's not clear how, or when this determination would ever be made. Therefore we suggest that the contents of the NOI in section 3.4 of the permit include a requirement

demonstrate whether 1.3.f of the permit is achieved at the time the NOI is submitted .

6) Please submit a copy of the NOI when it is available .